

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA

FILED
for Roanoke
JUN 13 2007

JOHN F. CORCORAN, CLERK
BY: Fey Coleman
DEPUTY CLERK

FREEMAN A. JONES,

Petitioner,

v.

WARDEN OF GREENSVILLE

CORRECTIONAL CENTER,

Respondent.

Civil Action No. 7:07-cv-00169

ORDER

By: Hon. Norman K. Moon

United States District Judge

It is hereby

ORDERED and ADJUDGED

that

- 1) Petitioner's motion for reconsideration [Docket #5] is **GRANTED**;¹
- 2) The court's order dismissing the case for failure to comply with the court's order, entered May 23, 2007 [Docket #4], is hereby **VACATED** and this action is **REOPENED**;
- 3) In accordance with the Memorandum Opinion entered this day, Jones' 28 U.S.C. § 2254 petition shall be and hereby is **DISMISSED** without prejudice; and
- 4) This action shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Memorandum Opinion and accompanying Order to the petitioner.

ENTER: This 13th day of June, 2007.


United States District Judge

¹ By Order, entered May 23, 2007, the court dismissed Jones' petition for failure to comply with the court's order. However, it appears that Jones did comply with the court's conditional filing order, but that the financial department of the court mistakenly returned it to the petitioner. Although, no record of these events exists in the court's docketing system, Jones has provided a copy of the letter from the court and attachments evidencing such.